

GREENWOOD COMMON COUNCIL
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Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, and Chaplain David Owens of the Johnson County Methodist Home led in prayer.

PRESENT: Council members Bruce Armstrong, Ron Bates, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; City Attorney Shawna Koons-Davis; and Deputy Clerk Kathie Fritz.
Councilman Bill Bless was unable to attend.

Mr. Bates moved to approve the minutes of May 1st as presented. Second by Mr. Hardin. Vote: Ayes.

The City Attorney had distributed her litigation report. There were no questions from the Council.

Mr. Hardin reported for the Planning Commission. The Villages of Grassy Creek was postponed until June 12th. The site development plan for Charter Crossing, a Florida-style building, going in on mall property to face Fry Road near the movie theaters, passed 9-0. Indiana Wesleyan's new campus will be 40% landscaped, Mr. Hardin noted. Main Street Shoppes is going in behind Village Pantry where the former Hardee's and Mexican restaurant is, and their petition also passed 9-0. The next Planning Commission meeting is a training session.

Mr. Gibson noted that the Solid Waste Management Board will be following the same program next year.

Mr. Deer indicated that the architectural standards committee met to discuss lot sizes. They will meet again next Tuesday, May 23rd at 6:00 p.m. at the Community Center. A general invitation has been sent to builders and developers.

ORDINANCE No. 06-11 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 10.76 Acres Located on the South Side of County Line Road and the East Side of Airport Parkway (commonly known as the J. Greg Allen & Assoc.; Newlin Properties, LLC; and Urology of Indiana Property). **POSTPONED UNTIL JUNE 19, 2006 FOR FIRST READING.**

RESOLUTION No. 06-10 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Approximately 102 Acres Located West of Averitt Road and North of Cutsinger Road, Referencing Annexation Ordinance No. 06-15. Mr. Bates moved to pass Resolution No. 06-10 through first reading. Second by Mr. Gibson. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 06-13 – An Ordinance Providing For an Additional Appropriation From the Aviation Operating Fund to the Board of Aviation Commissioners For Repairs and Maintenance of Leased Hangars. Ms. Reed moved to pass Ordinance No. 06-13 on first reading. Second by Mr. Gibson. Mayor Henderson opened the public hearing for comments or questions. Bill Jackson, President of the Board of Aviation Commissioners, told the Council that they had asked for \$40,000 in their budget for repairs and the Department of Local Government Finance (DLGF) cut the budget by just over \$34,000. Paige Gregory of H.J. Umbaugh had taken that amount from Debt Service, he said, but

Mr. Jackson explained that the amount in Debt Service was legally obligated. He had suggested taking it from repairs and maintenance, but knew it would be needed at a later time. He is asking that \$30,000 be placed back in that appropriation. Mr. Jackson said he was puzzled that the DLGF claimed that the airport did not have enough revenue to cover their expenses, as the airport for two years has had \$100,000 sitting untouched in investments. But when Mr. Jackson saw the formula they used, he realized that the DLGF looked at the revenues – and expenses – in June and assumed that was the average for 18 months. He assured the Council that he had checked with the Clerk-Treasurer's office on numerous occasions, the airport is financially sound, and money is available to cover this \$30,000 request. Mr. Hardin asked to know the balance of the Aviation Operating Fund by the next meeting. As no one else spoke the public hearing was closed. Vote: Ayes. **ORDINANCE No. 06-13 PASSED FIRST READING.**

ORDINANCE No. 06-14 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith” (Proposed Rezoning of approximately 72 acres located north of Cutsinger Road and west of Averitt Road, commonly known as the City of Greenwood Property). Mr. Bates moved to pass Ordinance No. 06-14 through first reading, with second by Mr. Hardin. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 06-15 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 102 Acres Located West of Averitt Road, North of Cutsinger Road (commonly known as the City of Greenwood and Greenwood Community School Corporation Properties). **FIRST READING AND PUBLIC HEARING POSTPONED UNTIL JUST 5, 2006 MEETING.**

ORDINANCE No. 06-16 – An Ordinance Providing For an Additional Appropriation From the Cumulative Capital Development Fund (\$1,200,000) For Reconstruction and Repair of Streets and Curbs. Mr. Bates moved to pass Ordinance No. 06-16 on first reading. Second was by Mr. Deer. Mayor Henderson gave the Council handouts showing the Cum Cap fund totals and maps showing streets that have been resurfaced or rebuilt within the last 24 months as well as streets that are proposed for resurfacing with the funds from this ordinance. On the back of the maps were estimated costs for resurfacing or rebuilding. The combined total was \$1,600,154. Streets that pushed the total over the \$1,200,000 were taken off the list, noted the Mayor, but any extra money is needed in case of contingencies. Mayor Henderson opened the public hearing for input from the audience. Beatrice Bell of 1094 Tanglewood Drive in Imperial Hills told the Council that their streets and curbs have long been overlooked and are deteriorating. Older residents of the area have told her that since the addition was built those streets have not been resurfaced. Mayor Henderson told Ms. Bell Tanglewood was the first street on the list. As no one else spoke, the public hearing was closed. Although he had no doubt that the streets needed reconstruction and repair, Mr. Hardin was concerned about what would be left in CCD and what projects might be coming next year. Mayor Henderson noted that we have two tax draws coming this year. He also noted that the fund for work in Valle Vista and Northern Park is separate. Ms. Fritz mentioned that the 1782 notice shows projected revenues and when they are expected. There then was discussion on the handouts of Cum Cap fund totals.

Counsel indicated that CCD funds are available for capital infrastructure projects. Vote: Ayes. **PASSED FIRST READING.** Mr. Bates then moved to suspend the rules in order to consider second reading. Second by Mr. Gibson. Mr. Armstrong criticized the Mayor for waiting until the meeting to distribute the maps showing where the improvements will be made and then expecting the Council to suspend the rules to allow the ordinance to pass in a single meeting. Vote: Ayes. **RULES SUSPENDED.** Ms. Reed moved to pass Ordinance No. 06-16 through second reading. Second by Mr. Bates. Vote: Ayes. **ORDINANCE No. 06-16 PASSED SECOND READING.**

ORDINANCE No. 06-17 – An Ordinance to Establish a Special Non-Reverting Fund to Administer Court Late Fees. In order to have the Clerk-Treasurer present to answer questions about her memo, Mr. Deer moved to continue Ordinance No. 06-17. Second by Mr. Gibson. Vote: Ayes – Armstrong, Bates, Deer, Gibson; Nays- Hardin, Reed. **CONTINUED TO JUNE 5, 2006 MEETING.**

RESOLUTION No. 06-09 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Approximately 10.76 Acres Located on the South Side of County Line Road and the East Side of Airport Parkway, Referencing Annexation Ordinance No. 06-11. Mr. Bates moved to pass Resolution No. 06-09 through second reading. Second was by Mr. Hardin. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 06-12 – An Ordinance Providing For an Additional Appropriation From the General Fund (\$16,000) to the City Court For Video Conference System Installment Payment. Ms. Reed moved to pass Ordinance No. 06-12 on second reading. Second by Mr. Gibson. Vote: Ayes. **PASSED SECOND READING.**

RESOLUTION No. 06-11 – A Resolution Confirming Resolution 06-05 The Declaration of a Certain Area Within the City of Greenwood an Economic Revitalization Area and Qualifying Certain Real Property Improvements for Property Tax Abatement (Greenbrooke Medical Pavilion – J. Greg Allen & Associates, Inc.) Mr. Bates moved to pass Resolution No. 06-11 through second reading, with second by Ms. Reed. Mayor Henderson opened the public hearing. Consultant Pat Sherman described the project – a three-story medical office building on County Line Road just east of the airport. As no one else spoke, the public hearing was closed. Vote: Ayes – Gibson, Hardin, Reed, Bates, Deer; Nay – Armstrong. **PASSED SECOND READING.**

ORDINANCE No. 06-18 – An Ordinance Amending Greenwood Municipal Code (1993), As Amended, Chapter 6, “Safety Departments and Regulations”, Article 10, “Specific Activities Regulated For the Public’s Health and Safety”, To Add a New Section To Adopt Regulations Placing a Restriction on the Lease of Newly-Constructed Single-Family Residential Property. **INTRODUCED.**

ORDINANCE No. 06-19 – An Ordinance Amending Greenwood Common Council Ordinance No. 88-75, As Amended, and Greenwood Municipal Code (1993), As Amended, Chapter 2, Article 6, Section 2-38, To Add a Portion of Greenwood Municipal Code (1993), As Amended, Sec. 6-349, To the List of Ordinances Subject to the Jurisdiction of the Ordinance Violations Bureau. The City Attorney noted that this was done because when the smoking regulation ordinance was passed it noted that \$50 and \$100 fines could be paid through the OVB in the Clerk-Treasurer’s office. This is a housekeeping detail, she said. **INTRODUCED.**

Under miscellaneous business, Mr. Hardin stated that the southbound traffic light at Emerson Avenue and Main Street lasts eight seconds and traffic is backing up.

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Mr. Bates discussed a letter he received from the Valle Vista Health System requesting an amendment to the smoking regulation ordinance. He had given copies to the rest of the Council. Ms. Reed indicated she made five phone calls and was unable to talk with anyone. She assumes the outdoor courtyard she visualizes must not be 25 feet from the door. Mr. Hardin explained that he thought exceptions weakened the ordinance. Ms. Koons-Davis agreed that others will expect special consideration if an exception is made. After discussion, Mayor Henderson said that his office will send a letter indicating the ordinance will not be changed.

Mr. Bates noted that the MPA is requesting more money for 2007. Our suggested contribution is \$16,621. We have paid up to date \$8,160, he added. In response to Mr. Deer, Mr. Bates said that the budget had approved \$19,784. Mr. Deer said he would have to study the invoice to see if it is correct. He described two requests – one for their regular MPO actions (asking the regions to fund more of the metropolitan long range planning) and also for the regional transit.

Mr. Bates then discussed a letter from IACT saying that due to recent legislation at the last General Assembly, property tax relief will decrease revenues for cities and towns next year. Mayor Henderson told the Council that he will be at the Leadership Conference next week and this will be a big topic of discussion.

Mr. Hardin brought up the topic of a contribution to Johnson County Senior Services. The Council has not received any financial information from them, and when this is provided the request can come off the table for discussion.

Ms. Reed told the Council that the Howard Road sidewalks look good and she complimented the crew. Mr. Armstrong added that the Valle Vista project is also progressing well.

Mr. Deer asked if there was information on when the coordination of lights would be done on U.S. Highway 31 this summer. The Mayor does not have that as yet.

Mr. Deer asked about our responsibility in notifying property owners if a sidewalk is obstructed for the handicapped. Ms. Koons-Davis said a “public way” would include sidewalks and we could notify them. On Fry Road between Long John Silvers and the video store a vending machine is blocking the sidewalk, Mr. Deer said. There is handicapped accessibility at both ends of the sidewalk but not between the stores.

Mayor Henderson recalled a lot of discussion about the house next door, now City property. A rough estimate shows, he said, that demolishing the house, cleaning the area and putting in a parking lot will be roughly \$50,000 IF there is not a problem with a basement, foundation and settling. He asked the Council to consider the funds available and let him know if they desire an ordinance. This led to discussion on using the Rainy Day Fund and the balance, which will be provided at the next meeting. The Clerk-Treasurer will also provide a list of funds that are not active and have small amounts that can be transferred to the Rainy Day Fund.

With no further business, the meeting adjourned at 8:00 p.m.

Charles E. Henderson, Mayor

Jeannine Myers, Clerk-Treasurer